

WASHINGTON COUNTY COMMISSION
MEETING MINUTES
APRIL 16, 2013

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on April 16, 2013, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman James J. Eardley, Commissioner Dennis Drake, Commissioner Alan D. Gardner, Washington County Administrator Dean J. Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Christine S. Hall.

Commissioner Drake led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for April 3, 2013, through April 16, 2013
- Consideration of Approval of Regular Commission Meeting Minutes of April 2, 2013
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Applications for Settlement or Deferral of Property Taxes (17): Filomena & Stephen Johnson, S/N R-152-A-1-A-1; Melvin Miller/Dwayne Watson, S/N W-KR-1-11; Taylor Satterthwaite, S/N H-PHRL-1-62; Kent Heideman, S/N H-3-1-34-42301; Robert Sather, S/N SG-1417-B; Brad Brewer, S/N H-DSHR-228; Jeremy Black, S/N SG-DME-C-8; Henry & Shirley Lisenby, S/N T-TEA-B-25; O&A Development, S/N H-3-1-33-4401; Howard & Valorie Cottam, S/N SG-5-3-5-1313; Fairgrounds Properties, S/N H-FAIR-8; Kenneth & Tracy Thomas, S/N W-19-A-2; Timothy & Carmen Herda, S/N SG-RDW-4-51; Tony & Karen Stevens, S/N H-SAGP-2-13, H-SAGP-2-14, H-SAGP-2-16, H-SAGP-2-17.
- Consideration of Applications for Property Tax Abatement (7): Kathy Meeks, S/N H-LB-45; Dean Monson, S/N H-QLE-59A-1; Roger Miller, S/N SG-ME-1-58; Geraldine Hendricks, A/N 0465222; Steven Richmond, S/N W-RP-1-27-A; Ralph Price, A/N 0383300; and Marilyn Peterson, A/N 490394

MOTION: Motion by Commissioner Drake to Approve the Consent Agenda with the Exception of the Application for Property Tax Abatement by

Kathy Meeks, S/N H-LB-45, which is Denied. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

EMERGENCY SERVICES REPORT: SHERIFF CORY PULSIPHER

Washington County Sheriff Cory Pulsipher reported on nine (9) Search and Rescue (SAR) call-outs since March 4, 2013, a summary of which is attached. Once again, the Commission commended all SAR volunteers for their invaluable service to the County and its residents and visitors.

He furthermore advised that Deputy Darrell Cashin has been selected as the new SAR supervisor. Deputy Cashin has already been participating with SAR activities as a member of the dive team/swift water team.

Additionally, on Saturday, April 20, the Utah Peace Officers' Association will be honoring fourteen (14) officers in the State of Utah who have died in the line of duty. John Cottam, Sheriff of Washington County in 1936, is one of the fourteen (14) who has been selected.

PURCHASE REQUESTS: MARK BLANCH

- Sheriff's Office, Ice Machine \$ 12,718.85
- Sheriff's Office, Samsung 120 GB hard drives \$ 10,225.00

All purchases are budgeted, bonded, or paid for through grant funds.

MOTION: Motion by Commissioner Gardner to Approve the Purchase Requests, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF ORDINANCE NO. 2013-1029-O, AN ORDINANCE AMENDING THE COUNTY BURNING PERMIT ORDINANCE, TITLE 4, CHAPTER 4, OF THE WASHINGTON COUNTY CODE

Deputy Washington County Attorney Jodi Borgeson presented to the Commission a summary of the new burn permit ordinance amendment, which delineates more particularly when burn permits may be granted, including the dates during each calendar year in which different rules are applicable. The changes are to bring the County into

compliance with recent regulations passed by the State Division of Air Quality. County Fire Warden Adam Heyder assisted in explaining the changes.

MOTION: Motion by Commissioner Drake to Adopt Ordinance No. 2013-1029-O, an Ordinance Amending the County Burning Permit Ordinance, Title 4, Chapter 4, of the Washington County Code. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1717, A RESOLUTION TO APPROVE THE PARTICIPATING AGREEMENT BETWEEN THE UTAH DIVISION OF FIRE, FORESTRY, AND STATE LANDS AND WASHINGTON COUNTY

This is the annual renewal of an ongoing agreement.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1717, a Resolution to Approve the Participating Agreement between the Utah Division of Fire, Forestry, and State Lands and Washington County. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1718, A RESOLUTION COMMENDING THE PUBLIC SERVICE OF EMERGENCY SERVICE DISPATCHERS

Administrator Dean Cox said that each year since President Bush was in office, an Executive Order has been signed by the President, recognizing the contribution of emergency dispatchers to public well-being and safety. Agencies around the country have passed resolutions to that effect, and Washington County is pleased to join that effort.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1718, A Resolution Commending the Public Service of Emergency Service Dispatchers. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1719, A RESOLUTION OF WASHINGTON COUNTY APPROVING THE TRANSFER OF THE CABLE FRANCHISE FROM BAJA BROADBAND LLC TO TDS BAJA BROADBAND LLC

Mr. Clarke said that Baja Broadband LLC has been bought out by TDS, creating an entity called TDS Baja Broadband, LLC. This resolution reflects the name change on our current franchise agreement.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2013-1719, a Resolution of Washington County Approving the Transfer of the Cable Franchise from Baja Broadband LLC to TDS Baja Broadband LLC. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

COMMISSIONERS' REPORT

No items were presented today.

PUBLIC WORKS OR ROAD BUSINESS

Public Works Director Ron Whitehead reported that the Federal Highways Administration (Federal Highways) has now moved in to work on Old Highway 91 on the other side of Utah Hill. Washington County has just finished its Natural Resources Conservation Service (NRCS) project, and Federal Highways will begin its portion of work on that roadway, with the expectation of completion in approximately forty-five (45) days. There will be two (2) days during which that road will be closed to the public while box culverts are installed; as soon as the date is determined, it will be made public.

Once Federal Highways is finished in that area, the Road Department will chip seal that section of the road, and work on Old Highway 91 will be complete, for the time being.

NRCS has effectively shut down the County on its Virgin River projects until the 15th of August because of the occurrence of the spawning season for the Virgin River Chub, nesting season for the Southwest Willow Flycatcher, and migration season for other endangered species.

Review of Actions of the Planning Commission on April 9, 2013:

CONDITIONAL USE PERMIT EXTENSION. Request 5th extension of a Conditional Use Permit for a Communication Tower located west of Highway 18 at Milepost 36. The applicant is Verizon Wireless.

PUBLIC HEARING AND ZONE CHANGE. Request to change a recently de-annexed parcel from Hurricane City into Washington County. The proposed zone is RE-40 (Residential Estates) zone. The applicant is Fernwood LLC, Sky Ranch Phase 6

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL. Request for preliminary plat approval for Grassy Meadows Sky Ranch Phase 6, an 8-lot subdivision on 17.06 acres. The applicant is Fernwood LLC, Sky Ranch Phase 6 LLC.

Washington County Planner Scott Messel said that the second and third items were tabled by the Planning Commission, while the first was unanimously approved.

Request A Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:36 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN